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September 8, 2014

Regional Freedom of Information Officer
EPA Region 1
5 Post Office Square - Suite 100
Boston, MA 02109-3912

Certified Mail No. 7012 3050 0001 2925 4940

Re: EPA Clean Water Act Administrative Order Docket No. 10-016

Dear Freedom of Information Officer,

I represent Donna West. Donna West is a plaintiff in a lawsuit pending in the Federal District Court of Massachusetts, West v. First Light Power Resources, LLC, et al., NO. 3:12-cv-30069-MAP.

The plaintiff's husband Russell West was killed on May 17, 2010 at the Northfield Mountain Station reservoir dewatering construction site. The "lower reservoir" of the Northfield Mountain Station is the Connecticut River in Franklin County Massachusetts.

Testimony and exhibits presented in nearly thirty depositions, the review of thousands of pages of documents, and the analyses by experts show, in my opinion, that First Light Power and SUEZ failed to adhere to numerous requirements of 18 CFR as well as provisions of the Clean Water Act.

In addition, the Findings of Violation and Order of Compliance in EPA Administrative Order Docket No. 10-016 demonstrate that the EPA records and information are likely to contain information that be relevant to the issues in the West v. First Light Power Resources, LLC, et al., NO. 3:12-cv-30069-MAP.

It is my good faith belief that the information requested hereby will provide material information that is relevant in this wrongful death lawsuit.

I make this FOIA request pursuant to 5 U.S.C. § 552, *et seq.*, and applicable regulations, for the information related to First Light Power Hydro Generating Company and First Light Power Resources, Inc.as follows:

1. Copies of all reports, submissions, correspondence, emails and other documents between EPA and First Light Hydro Generating Company and First Light Power Resources, Inc.

(First Light), NPDES Permit No. 0035530 concerning the May 2010 reservoir dewatering at the Northfield Mountain Pump Storage Hydroelectric Station.

2. Copies of all reports, submissions, correspondence, emails and other documents between EPA and First Light concerning the extended outage that followed May 2010 sedimentation infiltration of the hydroelectric units at the Northfield Mountain Pump Storage Hydroelectric Station.
3. Copies of all reports, submissions, correspondence, emails and other documents between EPA and First Light concerning the fatality that occurred on May 17, 2010 at the upper reservoir at the Northfield Mountain Station.
4. Copies of all citations or enforcement documents related to licensees compliance with applicable regulatory requirements.
5. Copies of all reports, submissions, correspondence, emails and other documents between EPA and First Light concerning the dewatering and extended outage that relate to the licensee's pending relicensing application.
6. Copies of all reports, submissions, correspondence, emails and other documents between EPA and First Light concerning the licensee's plans to avoid future silt infiltrations during future reservoir dewaterings.

Specifically, if not provided pursuant to paragraphs 1-6 above, I request the following information.

- All reports, submissions, correspondence, emails and other documents generated in compliance with paragraphs 3, 4, 5 and 7 of Section IV of the Administrative Order dated August 3, 2010, Docket No. 10-016.
- All reports, submissions, correspondence, emails and other documents generated in compliance with Section V, Notification Procedures of the Administrative Order dated August 3, 2010, Docket No. 10-016.
- All reports, submissions, correspondence, emails and other documents generated in as provided in paragraph 1 or arising under paragraph 2 of Section VI, General Provisions of the Administrative Order dated August 3, 2010, Docket No. 10-016.

I am willing pay reasonable fees associated with the cost of producing responsive information.

I am willing to sign necessary non-disclosure agreements and agree to reasonable conditions of disclosure.

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I am available to discuss reasonable limitations on the scope of this request.

Please let me know if you have any questions.

Thank you.

Very truly yours,



Thomas T. Merrigan

TTK/jab

cc: All counsel of record via electronic mail